



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,151	12/12/2003	II Yasuhiro	6453P020	5667
8791 7590 07/02/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER ABDI, AMARA				
ART UNIT 2624		PAPER NUMBER		
MAIL DATE 07/02/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/735,151

Applicant(s)

YASUHIRO, IL

Examiner

Amara Abdi

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) 2,8,10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's response to the last office action, filed May 03, 2008 has been entered and made of record.
2. Applicant's arguments with respect to claims 1, 3-7, 9, and 11-14 have been considered but are moot in view of the new ground(s) of rejection.

Remarks

3. Applicant's arguments with respect to claim 1 have been fully considered but they are not persuasive.

The Applicant argues that Seto fails to disclose the recited interrelationship of synchronously editing the low resolution part of an image and asynchronously editing the high resolution part of the image.

However, in response to the Applicant's Arguments, The Examiner is disagrees, because the claim language does not specify the interrelationship between the synchronous editing the low resolution part of an image and asynchronous editing part of the image. Furthermore, the claim language does not specify if the image of editing the low resolution is same or different as the image of editing the high resolution.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-7, 9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seto (US-PGPUB 2002/0029242) in view of Jacobs et al. (US 5,892,509) and Yokomizo et al. (US 6,522,418).

(1) Regarding claims 1, 7, and 9:

Seto discloses a server connected to a client via a network for editing image data based on image editing commands from the client (paragraph [0090], line 1-4), and image editing method (paragraph [0010], line 3-4), and computer readable storage medium (paragraph [0010], line 6-8), the server comprising:

a storing unit (element 5 in Fig. 1) to store image files (paragraph [0123], line 4-5)

a first image editing unit (element 7 in Fig. 1) to edit a low resolution part of an image file stored in the storing unit in synchronization with receiving an image editing command from the client (paragraph [0090], line 1-4, and paragraph [0159], line 5-13); (the Examiner interpreted that it is obvious to edit a low resolution image file in synchronization with receiving an image editing command from the client, because the server and the client are connected via network, therefore, acting at the same time).

an information unit (S5 in Fig. 2) in to inform the client that the image editing process has been completed by the first image editing unit (paragraph [0091], line 1-3);

Seto does not explicitly mention the job supplying unit to form a job commanding a high resolution part of the image file stored in the storing unit to be edited and to insert the job in a queue; and a second image editing unit to edit the high resolution part of the image file stored in the storing unit with respect to the received image editing command

from the client in accordance with the job inserted in the queue by the job supplying unit.

(a) Obviousness in view of Jacobs et al.

Jacobs et al., in analogous environment, teaches an image processing apparatus having common and personal memory capable of viewing and editing an image commonly with a remote image processing apparatus over a network, where using the job supplying unit to form a job commanding a high resolution part of the image file stored in the storing unit to be edited (column 10, line 31-34); and to insert the job in a queue (column 11, line 19-21), (inserting the job in a queue is read as the same concept as the transferring of the image data to the interface unit before printing).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Jacobs et al., where editing a high resolution image, in the system of Seto in order to have a workstation which performs image editing functions including rotation, scaling up or down in size in either or both directions, cutting pasting annotation, "white out", "restoration" (to previous state), and other editing functions (column 3, line 42-45).

(b) Obviousness in view of Yokomizo et al.

Yokomizo et al., in analogous environment, teaches a method and system for editing images, where editing asynchronously the high resolution part of the image file stored in the storing unit (column 2, line 41-43) with respect to the received image editing command from the client (column 2, line 43-45) (the third transferring step is read as the same concept as the editing command from the client, and the editing

process is read asynchronously because the first editing step is made at the user's terminal, and the second editing step is made at the remote image processing, which means at different time).

(the inserting of the job in the queue by the job supplying unit was disclosed by Jacobs et al. (see column 11, line 19-21)).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to the system of Yokomizo et al., where editing asynchronously the high resolution part of the image file, in the system of Seto, in order to enable practical storage service with reduced occupation of storage area in the storage medium (column 2, line 17-19).

(2) Regarding claims 3 and 11:

Seto further discloses the server, where when the client commands the image file to be displayed (paragraph [0021], line 19-20), encoded data of the edited low resolution part of the image file is transmitted to the client (paragraph [0021], line 21-22), (the selected of the amount of data is read as the encoded data of the edited low resolution part of the image file)

(3) Regarding claims 4 and 12:

Seto discloses all the subject matter as described in claims 1, 7, and 9.

Seto does not explicitly mention that when the second image editing unit has not completed editing the high resolution part of the image file, the portion of the high resolution part of the image file is edited, encoded, and transmitted to the client.

Jacobs et al., in analogous environment, teaches an image processing apparatus having common and personal memory capable of viewing and editing an image commonly with a remote image processing apparatus over a network, where in case where the second image editing unit has not completed editing the high resolution part of the image (column 12, line 12-15), the portion of the high resolution part of the image is edited, encoded and transmitted to the other image processing apparatus (the other image processing is read as client) (column 10, line 66-67; and column 11, line 1-4), (the examiner interpreted that the special function unit , and main CPU unit are performing the manipulation between the documents, so it's interpreted that in case the editing unit has not completed editing the high resolution part of the image, the portion of the high resolution part of the image is edited, and the edited portion of the high resolution part of the image is encoded and transmitted to the other image processing apparatus).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Jacobs et al., where displaying an image file, in the system of Seto in order to have a workstation which performs image editing functions including rotation, scaling up or down in size in either or both directions, cutting pasting annotation, "white out", "restoration" (to previous state), and other editing functions (column 3, line 42-45).

(4) Regarding claims 5 and 13:

Seto discloses all the subject matter as described in claim 1 above.

Seto does not explicitly mention that where the portion of the high resolution part of the image file cannot be displayed is when the image editing process that is being conducted is an image editing process that cannot be conducted on a portion by portion basis.

Jacobs et al., in analogous environment, teaches an image processing apparatus having common and personal memory capable of viewing and editing an image commonly with a remote image processing apparatus over a network, where the portion of the high-resolution part of the image cannot be displayed (column 10, line 35-45) when the image editing process that is being conducted is an image editing process that cannot be conducted on a portion by portion basis (column 4, line 52-61), (the examiner interpreted that the operator can write and edit any of the display image, so the operator can inform the other processing apparatus to display or not display any image by using the stylus, this includes cutting and pasting of documents, pointing to or erasing particular points, rotation of images,...etc).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Jacobs et al., where the image file cannot be displayed, in the system of Seto in order to have a workstation which performs image editing functions including rotation, scaling up or down in size in either or both directions, cutting pasting annotation, "white out", "restoration" (to previous state), and other editing functions (column 3, line 42-45).

(5) Regarding claims 6 and 14:

Seto discloses all the subject matter as described in claim 1 above.

Seto does not explicitly mention commending the printing process to be conducted for the image file including the high resolution part of the image file, in case where the second image editing unit has not completed editing the high resolution part of the image file, the client is informed that the printing process cannot be conducted.

Jacobs et al., in analogous environment, teaches an image processing apparatus having common and personal memory capable of viewing and editing an image commonly with a remote image processing apparatus over a network, where commending the printing process to be conducted for the image file including the high resolution part of the image file (column 11, line 11-18), in case where the second image editing unit has not completed editing the high resolution part of the image file, the other image processing (the other image processing is read as client) is informed that the printing process cannot be conducted (column 12, line 55-61), (the examiner interpreted that the basic entry level functional area controls control the image edit , and provides the print screen command, so it inform the other image processing to conduct printing or not).

Contact Information:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571)270-1670. The examiner can normally be reached on Monday through Friday 8:00 Am to 4:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amara Abdi/
Examiner, Art Unit 2624

/Brian Q Le/
Primary Examiner, Art Unit 2624